

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
JULY 9, 2012

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of July was called to order by Acting Mayor Dale Williams at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, July 9, 2012, followed by the Pledge of Allegiance. Mayor Mike Poellinger presided over meeting at 5:31 PM. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, Greg Husmann, Dale Williams, Scott Yeiter and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. The following addition was requested: Resolution regarding Election Judges, it will be Item #3.11 on agenda. Member Buehler made a motion, seconded by Member Yeiter, as follows:

**A MOTION TO APPROVE AFOREMENTIONED CHANGE TO THE PRINTED AGENDA**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 1 – CONSENT AGENDA**

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – JUNE 25, 2012
- 1.2 BILLS PAYABLE THROUGH JULY 5, 2012
- 1.3 CASH BALANCE REPORT – APRIL 2012

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Husmann made a motion, seconded by Member Buehler, as follows:

**A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.0 – FIREFIGHTERS COMPLETION OF PROBATIONARY PERIOD**

Council reviewed recommendation from Fire Chief, John E. Meyer, that the following Firefighters have successfully completed their 18 month probationary period in compliance with the Fire Department rules and regulations and to consider them to become active duty Firefighters with the La Crescent Fire Department: Robert Bray, Cassandra Buehler, Shane Eastman, Todd Hase and Anthony Murilla. Fire Chief Meyer stated the above mentioned Firefighters are Certified Firefighter I and II, also certified as Operations Level for Hazardous Materials and Certified First Responders. Following discussion, Member Husmann made a motion, seconded by Member Buehler as follows:

**MOTION TO APPROVE RECOMMENDATION OF FIRE CHIEF JOHN E. MEYER TO GRANT STATUS OF THE FOLLOWING FIREFIGHTERS FOR THE LA CRESCENT FIRE DEPARTMENT FROM PROBATIONARY TO ACTIVE DUTY FIREFIGHTERS: ROBERT BRAY, CASSANDRA BUEHLER, SHANE EASTMAN, TODD HASE AND ANTHONY MURILLA.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.1 – TRAINING OFFICER – PROBATIONARY PERIOD COMPLETED**

Council reviewed recommendation from Fire Chief, John E. Meyer, that Training Officer William Schuldt has completed the one year probationary period for the La Crescent Fire Department Training Officer set by the City Council and should remain in this capacity. Fire Chief Meyer stated Officer Schuldt has proven to continue to be an excellent Training officer, has shown leadership, as well as responding to emergency as required. Member Buehler referenced his personal situation where he retired from the Fire Department. Member Yeiter stated that waivers were granted in the past prior to Chief Meyer. Extended discussion ensued. Following discussion, Member Husmann made a motion, seconded by Member Yeiter as follows:

**MOTION TO APPROVE RECOMMENDATION OF FIRE CHIEF JOHN E. MEYER TO GRANT WILLIAM SCHULDT’S STATUS AS TRAINING OFFICER NO LONGER PROBATIONARY FOR THE LA CRESCENT FIRE DEPARTMENT.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Greg Husmann	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

With Bernie Buehler and Dale Williams voting against the same. The motion was declared duly carried by a 3-2 vote.

**ITEM 3.2 – FIRE DEPARTMENT STAFFING RECOMMENDATIONS**

Council reviewed recommendation from Fire Chief, John E. Meyer, that Firefighter Anthony Murilla be considered for the position of Assistant Training Officer with the La Crescent Fire Department. Fire Chief Meyer stated Firefighter Murilla meets or exceeds all of the requirements that are necessary, according to the Fire Department Rules and Regulations for this position. Following discussion, Member Husmann made a motion, seconded by Member Buehler as follows:

**MOTION TO APPROVE RECOMMENDATION OF FIRE CHIEF JOHN E. MEYER TO HIRE FIREFIGHTER ANTHONY MURILLA AS ASSISTANT TRAINING OFFICER WITH THE LA CRESCENT FIRE DEPARTMENT.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.3 – PLANNING COMMISSION MINUTES – JULY 3, 2012 (ITEM 3.4 ON AGENDA)**

Council reviewed the Minutes from the July 3, 2012 Planning Commission Meeting. Chairman Don Smith of the Planning Commission was present to give an overview. The Planning Commission will look at language that would permit 6' fences in lot frontages under certain circumstances at a special meeting on July 17, 2012 at 5:30 PM. The Planning Commission recommended to the City Council to refund the variance fee for the property owner of 231 Elm Street in the amount of \$135.00 regarding this issue. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

**MOTION TO REFUND THE VARIANCE FEE FOR THE PROPERTY OWNER OF 231 ELM STREET IN THE AMOUNT OF \$135.00.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.4 – WATER PRESSURE FLUCTUATION (ITEM 3.3 ON AGENDA)**

Bill Angerman of WHKS was present to review with Council the data they have obtained from monitoring the water pressure of residences on Fireside Drive. They are working with the City Staff to determine the water system dynamics at those times when the pressure drops to determine if a Variable Frequency Drive (VFD) on the booster station would alleviate the problem for these properties. This solution would be less costly than other alternatives discussed. They will continue to work with City Staff to do flow checks to determine if all valves are operating as expected. The residents of 253 Fireside spoke to Council regarding their ongoing concerns. No action taken.

**ITEM 3.5 – COMMUNITY FOUNDATION REQUEST**

Council reviewed a request from La Crescent Community Foundation to host the 2<sup>nd</sup> Annual La Crescent Community Foundation Day at Pine Creek Golf Course. The goal is to not only raise funds for the Foundation but promote the organization and its activities. They are proposing to have the event on a Saturday in August or September with the Foundation receiving 50% of any full price green fees that day, same as last year. The Foundation would also sponsor hole events. The Foundation also applied for gambling license for a raffle to be held. Following discussion, Member Buehler made a motion, seconded by Member Husmann as follows:

**MOTION TO APPROVE THE 2<sup>ND</sup> ANNUAL LA CRESCENT COMMUNITY FOUNDATION DAY AT PINE CREEK GOLF COURSE TO BE HELD ON A SATURDAY IN AUGUST OR SEPTEMBER WITH THE FOUNDATION RECEIVING 50% OF ANY FULL PRICE GREEN FEES THAT DAY AND TO APPROVE THE GAMBLING LICENSE FOR A RAFFLE FOR THIS EVENT.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.6 – GOLF COURSE STAFFING RECOMMENDATION**

Administrator Waller reviewed with Council the recommendation of Roy Lemke, Golf Course Superintendent, to offer the position of Assistant Manager Clubhouse at the golf course to Theresa Pierce. The posting of this position was part of the settlement agreement with the Operating Engineers Union. Pursuant to the provisions of the labor agreement, Ms. Pierce would complete a 120 day probationary period. Following discussion, Member Buehler made a motion, seconded by Member Husmann as follows:

**MOTION TO APPROVE RECOMMENDATION OF GOLF COURSE SUPERINTENDENT, ROY LEMKE, TO HIRE THERESA PIERCE AS ASSISTANT MANAGER CLUBHOUSE AT THE GOLF COURSE WITH A 120 DAY PROBATIONARY PERIOD.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.7 – PERSONNEL COMMITTEE RECOMMENDATIONS**

Council reviewed three recommendations from the Personnel Committee. The application deadline for the Bookkeeper position was July 23, with 23 applications received. The review process will be conducted by the Finance Director, Police Chief and City Administrator with interview conducted the week of July 16, with members of the Personnel Committee participating. It is the intent that a hiring recommendation will be presented at the July 23 Council Meeting. No action taken on this recommendation.

The second recommendation was that the City Council authorizes to advertise on a part-time basis, 20 hours per week, the Deputy City Clerk position. The third recommendation was to approve supplemental employment request of Chris Oliver to work for the City of Hokah to perform certain wastewater treatment services 20 hours per month. This supplemental employment would not interfere or conflict with his duties as Utility/Maintenance Worker #2 with the City of La Crescent. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

**MOTION TO APPROVE THE FOLLOWING RECOMMENDATIONS OF THE PERSONNEL COMMITTEE: (1) ADVERTISE ON A PART-TIME BASIS, 20 HOURS PER WEEK, THE DEPUTY CITY CLERK POSITION; AND (2) APPROVE SUPPLEMENTAL EMPLOYMENT REQUEST OF CHRIS OLIVER TO WORK FOR THE CITY OF HOKAH TO PERFORM CERTAIN WASTEWATER TREATMENT SERVICES 20 HOURS PER MONTH.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.8 – OUTSTANDING DEVELOPMENT COSTS**

City Attorney Wieser reviewed with Council the outstanding development costs relating to Apple Blossom Pointe and Apple Blossom 2. It was recommended that the City Attorney and City Administrator meet with the developer regarding this issue. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

**MOTION TO APPROVE THE CITY ATTORNEY AND CITY ADMINISTRATOR MEET WITH THE DEVELOPER OF APPLE BLOSSOM POINTE AND APPLE BLOSSOM 2 REGARDING THE OUTSTANDING DEVELOPMENT COSTS.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.9 – COMPUTER SUPPORT AGREEMENT**

The City currently has a three year computer support agreement with Locknet. A proposal to renew that agreement will be presented at the next City Council meeting. No action taken.

**ITEM 3.10 – TRANSIT – TRIENNIAL REVIEW**

Council reviewed information regarding Triennial Review. No action taken.

**ITEM 3.11 – RESOLUTION APPOINTING ELECTION JUDGES**

Council reviewed a resolution that appoints the election judges for the 2012 elections. Following discussion, Member Husmann introduced the following resolution and moved its passage and adoption:

**RESOLUTION NO. 07-12-19**

**RESOLUTION APPOINTING ELECTION JUDGES FOR 2012 ELECTIONS**

Be it resolved by the City Council of the City of La Crescent as follows:

1. The persons below named are hereby appointed judges for the 2012 elections to be held in the City of La Crescent, November 6, 2012. The judges appointed, the chairperson of the election board of each precinct designated and precinct and voting are as following:

A. First Precinct.....Community Building  
To serve from 7:00 AM to 8:00 PM.

Bill Goff, Chair  
Ruth Sherwood  
Pat Shea  
Delores Sorenson  
Glenn Lussky  
Rosemary Zemlo  
Alternate: Jan Schild

B. Second Precinct.....Ice Arena  
To serve from 7:00 AM to 8:00 PM

Bev Jiardina, Chair  
Elizabeth Zurbuchen  
Cherryl Jostad  
JoAnn Olson  
Judy Lehmann  
Barb Hammes  
Alternate: Rosanne Buehler

C. Third Precinct.....Ice Arena  
To serve from 7:00 AM to 8:00 PM

Sara Goff, Chair  
Catherine Aceredo  
Lois Mullally  
Elizabeth Swift  
Alternate: Audrey Bissen

D. Fourth Precinct.....Mailed Ballot

ADOPTED this 9<sup>th</sup> day of July, 2012.

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

The foregoing motion was duly seconded by Member Williams and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

**CHAMBER OF COMMERCE**

The Chamber reported on the following upcoming events: Chamber Streak Fry. No action taken.

Member Williams asked that contracting out city mowing be put on next month's agenda.

There being no further business to come before the Council at this time, Member Husmann made a motion, seconded by Member Yeiter, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Scott Yeiter	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:27 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator